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KERALA GAZETTE

EXTRAORDINARY

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1508/LA4/76. *Dated, Trivandrum, 16th February* ***1976.***

The Kerala Land Reforms (Amendment) Bill, 1976 together with the Statement of Objects and Reasons, the Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under Rule 67 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. Prasannan,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1976.

33/558/MC.

THE KERALA LAND REFORMS (AMENDMENT) BILL, 1976

A

BILL

further to amend the Kerala Land Reforms Act, 1963.

Preamble.—WHEREAS it is expedient further to amend the Kerala Land Reforms Act, 1963 for the purposes hereinafter appearing;

BE it enacted in the Twenty-seventh Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Land Reforms (Amendment) Act, 1976.

2. *Amendment of section* 72 H.—In section 72H of the Kerala Land Reforms Act, 1963 (1 of 1964) (hereinafter referred to as the principal Act),—

(a) for sub-sections (2), 3, (4) and (5), the following sub-section shall be substituted, namely:—

"(2) The amount of compensation payable under sub-section (1) in respect of a holding shall be paid in cash in lump within a period of one year of the date on which the order of the Land Tribunal under sub-section (5) of section 72F has become final".

(b) for sub-section (6), the following sub-section shall be substituted, namely:—

"(6) Where the amount of compensation is not paid on or before the expiry of the period of one year specified in sub-section (2), such amount shall bear interest at the rate of four percent per annum from the date of expiry of the said period of one year."

3. *Amendment of section* 72I.—In section 72I of the principal Act, for sub-section (5A), the following sub-section shall be substituted, namely:—

"(5A) Notwithstanding anything contained in sub-section (4) or sub-section (5),—

(a) where the cultivating tenant has opted to pay the purchase price payable by him under section 72L in a lump; or

(b) where the landowner or the intermediary is a small holder and the amount of compensation in respect of all holdings held by cultivating tenants under him does not exceed five thousand rupees,

the amount of compensation determined under sub-section (3) shall be paid in cash in lump within one year from the date of such determination and if not so paid shall bear interest at the rate of four percent per annum from the date of expiry of that period.".

4. *Amendment of section* 75.—In sub-section (2) of section 75 of the principal Act, for clause (a), the following clause shall be substituted, namely:—

"(a) for constructing a building for his own residence or for the residence of any member of his family including major sons and daughters; or".

5. *Amendment of section* 77.—In section 77 of the principal Act,—

(a) to sub-section (1), the following further proviso shall be added, namely:—

"Provided further that the Land Tribunal shall not entertain any application under this sub-section in respect of a kudikidappu, if an order under sub-section (3) of section 80B allowing an application for the purchase of that kudikidappu has been passed and such order is in force.";

(b) in sub-section (2), the proviso shall be omitted.

6. *Amendment of section* 80C.—In section 80C of the principal Act,—

(a) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) As soon as may be after the order of the Land Tribunal under sub-section (3) of section 80B has become final, the Land Tribunal shall issue a certificate of purchase in such form and containing such particulars as may be prescribed, and thereupon the right, title and interest of the land owner, the intermediaries, if any, and the person in possession where he is not the land owner, in respect of the land allowed to be purchased, shall vest in the kudikidappukaran free from all encumbrances with effect from the date on which the order of the Land Tribunal under the said sub-section (3) has become final.";

(b) sub-section (3) shall be omitted;

(c) in sub-sections (5) and (6), for the words "second and subsequent instalments", the word "instalments" shall be substituted.

7. *Amendment of section* 80D.—In section 80D of the principal Act, for the words "the second or any subsequent instalment", the words "any instalment" shall be substituted.

8. *Amendment of section* 96.—In sub-section (1) of section 96 of the principal Act, for the *Explanation*, the following *Explanation* shall be substituted, namely:—

"*Explanation*.—For the purposes of this sub-section,—

(a) a kudikidappukaran or the tenant of a kudiyiruppu shall be deemed to be a landless agricultural labourer if he does not possess any other land;

(b) "kudikidappukaran" shall include a person who was a kudikidappukaran to whom a certificate of purchase has been issued under sub-section (2) of section 80C.".

9. *Amendment of section 100A*.—In section 100A of the principal Act,—

(a) for sub-section (2A), the following sub section shall be substituted, namely:—

"(2A) Notwithstanding anything contained in sub-section (2), but subject to such rules as may be made by the Government in this behalf, the functions of the Taluk Land Board may be performed by the Chairman alone or by the Chairman and any one or more of the other members of the Board.";

(b) in sub-section (2B),—

(i) for the words "The members", the words "The member or members" shall be substituted;

(ii) for the words "by them", the words "by him or them" shall be substituted;

(c) after sub-section (6A), the following sub-section shall be inserted, namely:

"(6B) The members of the Taluk Land Board other than the Chairman shall be entitled to a sitting fee of ten rupees per day for attending the meetings of the Board:

Provided that the Government may, by notification in the Gazette, and for reasons to be stated in such notification, fix such other amount as they deem fit, as sitting fee.";

(d) to sub-section (7), the following proviso shall be added, namely:—

"Provided that it shall not be necessary to record in writing the reasons for the removal or to give an opportunity of showing cause against the proposed removal, if the Government are of the opinion that it is not expedient, in the public interest, to record the reasons in writing or to give such opportunity.".

10. *Amendment of section* 102.—In sub-section (1) of section 102 of the principal Act, after the word and figures "section 73,", the words, brackets and figures "sub-section (2) of section 77," shall be inserted.

11. *Amendment of section* 109.—In sub-section (4) of section 109 of the principal Act, for clause (c), the following clause shall be substitued, namely:—

"(c) for providing better facilities to—

(i) the kudikidappukars; and

(ii) persons who were kudikidappukars to whom certificates of purchase have been issued under sub-section (2) of section 80C,

in accordance with such rules as may be made by the Government in this behalf:

Provided that a person to whom a certificate of purchase has been issued under the said sub-section or his successor-in-interest shall not be entitled to any benefit under this clause after the expiry of a period of twenty years from the date on which the right, title and interest in respect of the land allowed to be purchased by such person have vested in him under the said sub-section.".

12. *Amendment of section* 123.—In section 123 of the principal Act,—

(a) in the proviso to sub-section (1), for the words and figures "Code of Criminal Procedure, 1898", the words, figures and brackets "Code of Criminal Procedure, 1973 (Central Act 2 of 1974)" shall be substituted;

(b) in sub-section (2), for the words "a Magistrate of the first class", the words "a Judicial Magistrate of the first class" shall be substituted.

13. *Substitution of new section for section 123A.*—For section 123A of the principal Act, the following section shall be substituted, namely:—

"123*A*. *Cognizance of offence under section 118A.*—(1) Notwithstanding anything contained in section 123, or in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), an offence punishable under section 118A shall be tried by the Taluk Land Board of the taluk in which the person bound to file the statement under section 85A ordinarily resides.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, (Central Act 2 of 1974), every member of a Taluk Land Board shall, for the purposes of sub-section (1), be deemed to be a Judicial Magistrate of the first class.

(3) Subject to such rules as may be made by the Government under sub-section (5), the Taluk Land Board shall, in trying an offence punishable under section 118A, follow the procedure prescribed by the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), for the trial of summons cases by Judicial Magistrates.

(4) The Taluk Land Board shall not take cognizance of any offence punishable under section 118A, except on complaint in writing made by an officer authorised by the Government in this behalf.

(5) For the trial of offence punishable under section 118A by the Taluk Land Board, the Government may make rules in respect of the following matters, namely:—

(a) the constitution of benches consisting of two or more members of the Taluk Land Board;

(b) the times and places of sitting; and

(c) the mode of settling differences of opinion which may arise between the members of the bench so constituted.

(6) For the removal of doubts it is hereby declared that, notwithstanding anything contained in section 100A, a Taluk Land Board or any member of a Taluk Land Board shall not take cognisance of, or try, any offence punishable under section 118A except in accordance with the provisions of this section and the rules made thereunder.".

14. *Repeal and saving.*—(1) The Kerala Land Reforms (Amendment) Ordinance, 1975 (20 of 1975), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act as if this Act had come into force on the 11th day of December, 1975.

STATEMENT OF OBJECTS AND REASONS

The Government have been considering certain amendments to the Kerala Land Reforms Act, 1963 for the speedy implementation of Land Reforms measures in the State. Meanwhile, the Government of India have included the speedy implementation of the Land Reforms measures among the Twenty-point Programme under the Prime Minister's new economic deal for rural and urban classes. It has also become necessary to plug certain loop-holes in certain provisions of the Act, which had come to notice during its implementation.

2. The task of taking over of the excess lands from the landholders is vested with the Taluk Land Boards constituted under section 100A of the Act. It is the Taluk Land Board's function to verify the ceiling returns, determine the extent and identity of the lands to be surrendered and to order the vesting of the excess lands in the Government. For the consideration and disposal of the ceiling cases, the meetings of the Taluk Land Boards have to be conducted very frequently. According to sub-section (2A) of section 100A of the Act, the Chairman and any two of the other members of the Taluk Land Board shall constitute the quorum at any meeting of the Board. But very often it is found that no business could be transacted by the Taluk Land Board for want of

quorum. In order to ensure that the work of the Taluk Land Board is not hampered even if the non-official members do not turn up, it is proposed to provide that the functions of the Taluk Land Board may be performed by the Chairman alone or by the Chairman and any one or more of the other members of the Board.

3. At present, there is no provision for the payment of any D. A. or T. A. to the non-official members of the Taluk Land Board for attending the meetings of the Board. This may be one of the reasons for their frequent absence from the meetings of the Taluk Land Board. In order to provide some incentive to the non-official members of the Taluk Land Board to attend the meetings of the Board regularly, it is considered necessary to provide for giving them a sitting fee.

4. According to sub-section (7) of section 100A of the Act, the Government may at any time for reasons to be recorded in writing remove from office any member of the Taluk Land Board after giving him a reasonable opportunity of showing cause against the proposed removal. It is proposed to empower the Government to remove any member of the Taluk Land Board without giving him an opportunity of showing cause against the proposed removal and without recording the reasons for such removal, if the Government are of the opinion that it is not expedient in the public interest to give such opportunity or to record the reasons for the removal.

5. Section 118A of the Act specifies the penalty for failure to furnish the statement under section 85A of the Act. According to section 123A of the Act, an offence under section 118A shall be tried by the Taluk Land Board and for that purpose every Taluk Land Board shall be deemed to be a Bench of Magistrates constituted under section 15 of the Code of Criminal Procedure, 1898 and invested with the powers of a Magistrate of the first class. In the Code of Criminal Procedure, 1973, which has come into force on the 1st April, 1974, there is no provision for the constitution of Benches of Magistrates. Therefore, it is considered necessary to substitute section 123A of the Kerala Land Reforms Act by a new section investing every member of the Taluk Land Board with the powers of a Judicial Magistrate of the first class and providing for the constitution of Benches of such members for the trial of offences under section 118A.

6. Certain other amendments which were found necessary for the speedy and smooth implementation of the Act, are also proposed to be made.

7. As the Legislative Assembly was not in session and as the proposals had to be given immediate effect, the Kerala Land

Reforms (Amendment) Ordinance, 1975 (20 of 1975), was promulgated by the Governor on the 10th day of December, 1975. The Bill seeks to replace the Ordinance by an Act of the Legislature.

8. The Notes on Clauses explain in detail the various provisions of the Bill.

FINANCIAL MEMORANDUM

Under the new sub-section (2) of section 72H, proposed to be substituted by clause 2 of the Bill the amount of compensation payable under sub-section (1) of that section shall be paid in cash in lump within a period of one year of the date on which the order of the Land Tribunal under sub-section (5) of section 72F has become final. According to the original sub-section (2) of section 72H, the amount of compensation is to be paid in eight equal annual instalments, except in the case of small holders and in cases where the tenants have opted to pay the purchase price in lump. The total amount payable to the landlords in eight equal annual instalments is estimated to be Rs. 3972 lakhs. According to sub-section (4) of section 72A, when the payment is made in lump, the landlords will be entitled only to seventy-five percent of the amount. The total financial commitment will therefore be reduced to Rs. 2979 lakhs. The total amount that will be recovered by the Government towards purchase price from the cultivating tenants being Rs. 3972 lakhs, the proposal for lump-sum payment of compensation may ultimately bring a gain of Rs. 993 lakhs to the Government.

2. According to the new sub-section (5A) of section 72I proposed to be substituted by clause 3 of the Bill, landlords will be entitled to get the compensation under that section in cash in lump, instead of in eight equal annual instalments, in all cases where the cultivating tenants have opted to pay the purchase price in lump within one year from the date of determination of the compensation by the Land Board under sub-section (3) of section 72I. According to section 72M, the purchase price opted to be paid in lump by the cultivating tenants is to be paid by them within nine months from the date on which the order of the Land Tribunal has become final. However, payment to the landlords need be made only within the said period of one year. There is no financial commitment to the Government by this amendment, as the compensation to be paid to the landlords will be covered by the purchase price.

3. Sub-section (6B) proposed to be inserted in section 100A by clause 9 of the Bill provides for the payment of sitting fee of ten

rupees per day to the members of the Taluk Land Board other than the Chairman, for attending the meeting of the Board. There are 57 Taluk Land Boards out of which 39 Taluk Land Boards have full-time Chairmen and 18 Taluk Land Boards have only part-time Chairmen. The number of the non-official members of a Taluk Land Board is 6. Full-time Chairmen hold 25 sittings a month and part-time Chairmen hold 5 sittings a month. Assuming that the full complement of non-official members may turn up for the meetings, the maximum financial commitment on account of payment of sitting fee to them per annum will be Rs. 7,66,800 as detailed below:—

39 x 6 x 10 x 25 x 12	...	Rs. 7,02,000
18 x 6 x 10 x 5 x 12	...	Rs. 64,800
Total	...	Rs. 7,66,800

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-section (2A) of section 100A proposed to be substituted by sub-clause (a) of clause 9 of the Bill provides that the functions of the Taluk Land Board may be performed by the Chairman alone or by the Chairman or any one or more of the other members of the Board subject to such rules as may be made by the Government in that behalf. The proviso to sub-section (6B) of the said section proposed to be inserted by sub-clause (c) of clause 9 empowers the Government to fix, by notification in the Gazette and for reasons to be stated in such notification any amount other than that specified in the section, as sitting fee for the members of the Taluk Land Board.

2. Sub-section (5) of section 123A proposed to be substituted by clause 13 of the Bill empowers the Government to make rules for the trial of offences by the Taluk Land Board, in respect of the matters specified in the sub-section.

3. The matters in respect of which rules may be made or notification may be issued are matters of administrative or routine nature. Further, the rules after they are made are subject to scrutiny of the Legislative Assembly. The delegation of legislative power is thus of a normal character.

NOTES ON CLAUSES

Clause 2. According to the first proviso to sub-section (2) of section 72H of the Kerala Land Reforms Act, 1963, where the cultivating tenant has opted to pay the purchase price payable by him under section 72L in a lump, the amount of compensation payable to the landlord shall be paid in lump. According to the second proviso to the sub-section, if the land-owner or intermediary is a small holder, the amount of compensation is payable in a lump even if the cultivating tenant has not opted to pay the purchase price in a lump. In other cases, the amount of compensation is to be paid in eight equal annual instalments. Clause 2 seeks to amend section 72H to provide for the payment in all cases of the compensation under that section in a lump within a period of one year of the date on which the order of the Land Tribunal has become final. If the compensation is not paid before the expiry of the said period of one year interest at the rate of 4 per cent per annum from the date of the expiry of the said period of one year shall also be paid.

Clause 3. Section 72I of the Act provides for the determination and payment of the balance of the compensation by the Land Board. Sub-section (4) of that section provides for the payment of the balance compensation either in cash or in negotiable bonds redeemable after 16 years. Sub-section (5) of the section provides that where the compensation is proposed to be paid in cash it shall be payable in 8 equal annual instalments with interest as provided in the sub-section. Under sub-section (5A), where the land-owner or intermediary is a small holder and the amount of compensation in respect of all holdings held by cultivating tenants under him does not exceed Rs. 5000, the amount of compensation payable to such land-owner or intermediary shall be paid in lump. The section does not provide for lump sum payment to the landlord in any other case. When the cultivating tenant pays the purchase price in a lump he need pay only 75 per cent of the total purchase price [vide section 72A(4)] and therefore the landlord is entitled to get only 50 per cent of this 75 per cent under section 72I. It is considered that there is no justification in paying the balance compensation in instalments in cases where the cultivating tenant pays the purchase price in lump. Clause 3 seeks to amend the section to provide for the payment of the balance compensation in such cases also in lump.

Clause 4. Sub-section (2) of section 75 of the Act enables the land-holder to apply to the Land Tribunal to shift a Kudikidappukaran from his land if he **bona fide** requires the land for any of the purposes specified in clauses (a) to (c) of that sub-section. Under clause (a), such an application can be made if the land is **bona fide** required for "building purposes for himself or any member

of his family including major sons and daughters". This clause has been interpreted to include the construction of any building, not necessarily residential building. The intention however was to restrict the scope of clause (a) to the construction of a building for the residential purposes of the landholder or any member of his family including major sons and daughters. This clause seeks to amend section 75 to make the intention clear.

Clause 5. Section 77 of the Act lays down the procedure to enforce shifting of a Kudikidappu if the Kudikidappukaran does not comply with the requisition for shifting made by the land-owner under sub-section (2) or sub-section (4) of section 75. Sub-section (2) of section 77 empowers the Land Tribunal to pass an order requiring the Kudikidappukaran to shift the Kudikidappu. The proviso to this sub-section states that the Land Tribunal shall not pass an order under the section in cases where a certificate of purchase has been issued in respect of the Kudikidappu. It is considered necessary that no order for shifting under section 77 should be issued if an order under sub-section (3) of section 80B allowing the application for purchase of the Kudikidappu has been passed and such order is in force, although no certificate of purchase in respect of the Kudikidappu has been issued. The clause seeks to amend section 77 to achieve the above object.

Clause 6. According to sub-section (3) of section 80C of the Act, where a Kudikidappukaran fails to deposit the first instalment of the purchase price due from him on or before the due date, the order of the Land Tribunal under sub-section (3) of section 80B allowing the purchase of kudikidappu will stand cancelled and the kudikidappukaran will continue as kudikidappukaran. It is considered that no special advantage is ensured by insisting on the deposit of the first instalment before the issue of the certificate of purchase. It is therefore proposed to amend the section to provide that the Land Tribunal shall issue the certificate of purchase as soon as may be after the order of the Land Tribunal under sub-section (3) of section 80B has become final. Clause 6 is intended for the above purpose.

Clause 7. Seeks to amend section 80D of the Act. The amendment is consequential to the amendment to section 80C.

Clause 8. According to clause (i) of sub-section (1) of section 96 of the Act, the land in which there are kudikidappukars shall be assigned to such kudikidappukars. According to the definition of "kudikidappukaran" contained in clause (25) of section 2 of the Act, a kudikidappukaran who has purchased his kudikidappu and to whom a certificate of purchase has been issued, can no longer be considered as a kudikidappukaran as he has become the full owner

of the property. It is considered just and equitable that such ex-kudikidappukars should also be benefited in the matter of assignment of lands under section 96. Clause 8 seeks to amend section 96 for the above purpose.

Clause 9 seeks to amend section 100A of the Act. The scope and object of this amendment are explained in paragraph 2, 3 & 4 of the Statement of Objects and Reasons appended to the Bill.

Clause 10. Section 102 of the Act provides for appeal to the appellate authority from the orders of the Land Tribunal under the provisions mentioned in that section. The clause seeks to amend section 102 to provide for appeal to the appellate authority from an order of the Land Tribunal under section 77(2).

Clause 11. Under sub-section (4) of section 109 of the Act, the kudikidappukars Benefit Fund constituted under that section shall be utilised, among other purposes, for providing better facilities to kudikidappukars in accordance with such rules as may be made by the Government in this behalf. Kudikidappukars who have purchased their kudikidappus and thereby became full owners of the kudikidappus cannot be considered as kudikidappukars within the definition of the term contained in clause (25) of section 2 of the Act. It is considered just and equitable that such ex-kudikidappukars or their successors-in-interest also should get the benefit of the Kudikidappukars Benefit Fund for a period of 20 years from the date on which the right, title and interest in respect of the land have vested in the kudikidappukars. This clause seeks to amend section 109 for the above purpose.

Clause 12 seeks to amend section 123 of the Act. This amendment is consequential to the replacement of the Code of Criminal Procedure, 1898, by the Code of Criminal Procedure, 1973.

Clause 13 seeks to substitute a new section for section 123A of the Act. The necessity and scope of the new section are explained in paragraph 5 of the Statement of Objects and Reasons appended to the Bill.

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1510/LA4A/76. *Dated, Trivandrum, 16th February, 1976.*

The University Laws (Amendment) Bill, 1976 together with the Statement of Objects and Reasons, and the Financial Memorandum is published, under Rule 67 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. Prasannan,
Secretary,
Legislative Assembly.

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33/560/MC.

Fourth Kerala Legislative Assembly

Bill No. 243

THE UNIVERSITY LAWS (AMENDMENT) BILL, 1976

A

BILL

further to amend the Kerala University Act, 1974 *and the Calicut University Act,* 1975.

Preamble.—WHEREAS it is expedient futher to amend the Kerala University Act, 1974 and the Calicut University Act, 1975, for the purposes hereinafter appearing;

BE it enacted in the Twenty-seventh Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the University Laws (Amendment) Act, 1976.

2. *Amendment of Act* 17 *of* 1974.—In section 27 of the Kerala University Act, 1974 (17 of 1974),—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) There shall be a Dean of each faculty, who shall be nominated by the Vice-Chancellor.";

(b) in sub-section (3), for the word "re-election", the word "re-nomination" shall be substituted.

3. *Amendment of Act* 5 *of* 1975.—In section 27 of the Calicut University Act, 1975 (5 of 1975),—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) There shall be a Dean of each faculty, who shall be nominated by the Vice-Chancellor.";

(b) in sub-section (3), for the word "re-election", the word "re-nomination" shall be substituted.

4. *Repeal and saving.*—(1) The University Laws (Amendment) Ordinance, 1976 (3 of 1976), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Kerala University Act, 1974 (17 of 1974) or the Calicut University Act, 1975 (5 of 1975), as amended by the said Ordinance, shall be deemed

to have been done or taken under the Kerala University Act, 1974 or the Calicut University Act, 1975, as the case may be, as amended by this Act, as if this Act had commenced on the 3rd day of February, 1976.

STATEMENT OF OBJECTS AND REASONS

Sub-section (1) of section 27 of the Kerala University Act, 1974 (17 of 1974) and sub-section (1) of section 27 of the Calicut University Act, 1975 (5 of 1975), provided that there shall be a Dean of each faculty who shall be elected by the faculty in such manner and subject to such conditions as may be prescribed by the Statutes. Under the Cochin University Act, 1971, the Deans are to be nominated by the Vice-Chancellor.

2. It was pointed out by the Vice-Chancellors of the Kerala, Calicut and Cochin Universities that the provisions which existed in the Kerala University Act and the Calicut University Act for election of Deans were bound to create difficulties. Deanship is not merely chairmanship of a faculty, but involves duties which require the Dean to be at least one of the senior professors of the University regularly guiding the research students, and therefore the provision for election may create problems particularly in research. It was therefore considered necessary to amend section 27 of the Kerala University Act, 1974 and section 27 of the Calicut University Act, 1975, to provide that the Deans shall be nominated by the Vice-Chancellor.

3. As the selection of the Deans of the Kerala and Calicut Universities had to be made without any further delay and as the Legislative Assembly was not in session, the University Laws (Amendment) Ordinance, 1976 (3 of 1976), was promulgated by the Governor on the 3rd February, 1976, to achieve the above object. The Bill seeks to replace the Ordinance by an Act of the Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

CHAKKEERI AHMED KUTTY.

Government of Kerala
1976

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1509/LA4/76. *Dated, Trivandrum, 16th February 1976.*

The Kerala Municipal Councils (Extension of Term of Office of Councillors) Bill, 1976 together with the Statement of Objects and Reasons, and the Financial Memorandum is published, under Rule 67 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

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33/562/MC.

THE KERALA MUNICIPAL COUNCILS (EXTENSION OF TERM OF OFFICE OF COUNCILLORS) BILL, 1976

A

BILL

to provide for the further extension of the term of office of the councillors of municipalities other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities.

Preamble.—WHEREAS it is expedient to provide for the further extension of the term of office of the councillors of municipalities other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities;

BE it enacted in the Twenty-Seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Municipal Councils (Extension of term of office of Councillors) Act, 1976.

(2) It shall be deemed to have come into force on the 31st day of December, 1975.

2. *Extension of term of office of municipal councillors.*—Notwithstanding anything contained in the Kerala Municipalities Act, 1960 (14 of 1961), the term of office of the councillors of all the municipalities constituted under the said Act, other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities, which expires at noon on the 31st day of December, 1975, shall extend upto noon on the 31st day of December, 1976.

3. *Repeal and saving.*—(1) The Kerala Municipal Councils (Extension of term of office of Councillors) Ordinance, 1975 (18 of 1975), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

STATEMENT OF OBJECTS AND REASONS

By section 2 of the Kerala Municipal Councils (Extension of term of office of Councillors) Act, 1975 (3 of 1975), the term of office of the councillors of all the municipalities other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities in the State was extended upto noon on the 31st day of December, 1975. According to sub-section (2) of section 8 of

the Kerala Municipalities Act, 1960 (14 of 1961), elections to the municipal councils have to take place within a period of two months immediately preceding the date of expiry of the term of office of the councillors. Since the revision of electoral rolls of the municipalities had not been completed, it was not possible to conduct the elections within the said period. Hence it became necessary to extend the term of office of the councillors of all the municipalities other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities for a further period. As the Legislative Assembly was not in session the proposed extension had to be made by means of an Ordinance. Accordingly the Kerala Municipal Councils (Extension of term of office of Councillors) Ordinance, 1975 (18 of 1975), was promulgated by the Governor on the 30th November, 1975, extending the term of office of the councillors of all the municipalities in the State other than the Punalur, Chalakudy, Tirur and Malappuram Municipalities upto noon on the 31st day of December, 1976. The Bill seeks to replace the Ordinance, by an Act of the Legislature.

FINANCIAL MEMORANDUM

The Bill if enacted and brought into operation would not involve any expenditure from the Consolidated Fund of the State.

K. AVUKADERKUTTY NAHA.

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1976

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UNIVERSITY OF CALICUT

NOTIFICATION

Calicut University Election Statutes 1975
Amendment

No. Ad.CI-3/2625/75. *13th February 1976.*

It is hereby notified that the following amendment has been made to Section 3 of the Calicut University (Conduct of Elections to various Authorities or Bodies) First Statutes, 1975:

"That the following be added as sub-section (5) of Section 3 of the Calicut University (Conduct of Election to various Authorities or Bodies) First Statutes, 1975:—

The election of members to the Syndicate under items (a) and (b) under the heading 'Other Members' in Section 21 of the Act shall be held without postal ballot and in accordance with the provisions of Part A of Chapter III. The poll shall be taken at a booth specifically provided for the purpose in the University Office. The schedule for the conduct of this election shall commence from the publication of the Electoral Roll seven (7) days prior to the

date of Notification of the election as provided for under Statute 34. The stipulation relating to publication of the Electoral Roll as required under Statute 13 will not apply in this Election. All members of the Senate on the date of issue of Notification shall be entitled to vote at this Election".

The above amendment has come into effect from 13-2-1976.

(Sd.)

T. K. KOSHY,

Registrar.

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NOTICES

UNDER SECTION 9 (5) OF THE KERALA LAND ACQUISITION ACT, 1961 (ACT 21 OF 1962)

Notice is hereby given that the Government intend to take possession of the lands mentioned in the list below, which is required for a public purpose under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962). All persons interested in the land are required to appear in person or by authorised agent on the date, time and place noted below and to state/put in a statement in writing signed by themselves or their agents showing the nature of their respective interests in the land and the amount and particulars of their claim to compensation for such interests, in the land and their objections, if any, to the measurements made under section 8 of the Act.

Note.—If the persons interested refuse to make a claim to compensation or omit, without sufficient reasons, to make such claim, the amount to be awarded by the Court, in the event of a reference being made to it on application made by them shall in no case exceed the amount awarded by the Collector under Section 11 of the Act.

താഴെ കൊടുത്തിരിക്കുന്ന ലിസ്റ്റിൽ പറഞ്ഞിട്ടുള്ളതും, 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ം ആക്റ്റ്) പ്രകാരം ഒരു പൊതുകാര്യത്തിന് ആവശ്യമായിട്ടുള്ളതുമായ ഭൂമി കൈവശപ്പെടുത്തുവാൻ ഗവൺമെന്റ് ഉദ്ദേശിക്കുന്നുവെന്ന് ഇതിനാൽ നോട്ടീസ് നൽകിയിരിക്കുന്നു. പ്രസ്തുത ഭൂമിയിൽ അവകാശബന്ധമുള്ള എല്ലാപേരും നേരിട്ടോ, അധികൃത ഏജന്റുമുഖേനയോ താഴെ പറയുന്ന തീയതിലും സമയത്തും സ്ഥലത്തും ഹാജരാകുകയും, ഭൂമിയിൽ അവരോരോരുത്തർക്കുമുള്ള അവകാശബന്ധങ്ങളുടെ സ്വഭാവവും ഭൂമിയിൽ അങ്ങനെയുള്ള അവകാശബന്ധങ്ങൾ സംബന്ധിച്ചിടത്തോളം

നഷ്ടപ്രതിഫലത്തിന് അവർക്കുള്ള തേർച്ചയുടെ തുകയും വിവരങ്ങളും ആക്റ്റ് 8-ാം വകുപ്പുപ്രകാരം എടുത്തിട്ടുള്ള അളവു സംബന്ധിച്ച് വല്ല ആക്ഷേപവുമുണ്ടെങ്കിൽ അതും ഏതാണെന്നു കാണിച്ചുകൊണ്ട് പ്രസ്താവന ചെയ്യുകയും, അവരോ അവരുടെ ഏജൻറുമാരോ എഴുതി ഒപ്പിട്ട ഒരു സ്റേററുമെൻറ് സമർപ്പിക്കുകയും ചെയ്യണമെന്ന് അവരോട് ആവശ്യപ്പെടുന്നു.

കുറിപ്പ്.—അവകാശബന്ധമുള്ളവർ നഷ്ടപ്രതിഫലത്തിന് തേർച്ച ചെയ്യാൻ കൂട്ടാക്കാതിരിക്കുകയോ, മതിയായ കാരണമില്ലാതെ അങ്ങനെ തേർച്ച ചെയ്യാൻ വീഴ്ച ചെയ്യുകയോ ചെയ്യുന്ന പക്ഷം അവരുടെ അപേക്ഷയിൻമേൽ കോടതിക്ക് റഫറൻസ് അയയ്ക്കുന്ന സംഗതിയിൽ കോടതി വിധിച്ചു കൊടുക്കേണ്ട തുക യാതൊരു സംഗതിയിലും ആക്റ്റ് 11-ാം വകുപ്പു പ്രകാരം കളക്ടർ വിധിച്ചു കൊടുക്കുന്ന തുകയിൽ കവിയാൻ പാടില്ലാത്തതാകുന്നു.

(1)

LA2. 94/73 (K1). *10th February 1976.*

Date, place and time of appearance:—On 26-2-1976 at 11 a. m. before the Special Tahsildar LA. (NH.) Kazhakuttom in office.

Particulars of land

District—Trivandrum. *Taluk*—Trivandrum.

Sy. No.	*Description*	*Extent*
	Village—Veiloor.	*Ares.*
1312/8	Dry land	01.21
	Village.—Melthonnakkal	
2645/2	Dry land	03.64
2646/2	,,	00.55
2646/6	,,	02.43
2646/7	,,	04.05
2649/2	,,	02.83

(2)

No. LA2. 9/74 (K1). *10th February 1976.*

Date, time and place of appearance.—On 26-2-1976 at 11 a. m. before the Special Tahsildar, LA. (NH.) Kazhakuttom in office.

Particulars of land

District.—Trivandrum. *Taluk.*—Trivandrum.

Village.—Veiloor. (Block No. IX)

Sy. No.	*Description*	*Extent*
		Ares
1300/9-23	Dry land	07.38

(Sd.)

Kazhakuttom. *Special Tahsildar for L. A. (N. H.)*

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1976

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NOTICE

No. C4-12516/76. *12th February 1976.*

Whereas I am satisfied that the public place mentioned in Schedule-I below is required in connection with the launching of the Equatorial Sounding Rockets from the Launching Station at Pallithura in the Attipra Village of Trivandrum Taluk by the Space Research Division of the Department of Atomic Energy to the Government of India.

I, V. N. Rajan, Inspector-General of Police in exercise of the powers conferred upon as under section 24 of the Kerala Police Act, 1960 (Act V of 1961) hereby reserve temporarily the public place mentioned in Schedule-II and prohibit persons from entering the area so reserved save under conditions as may be prescribed by me.

Schedule—I

PLACE OF LAUNCHING

The Rocket will be fired from the Launcher on a pad at Pallithura near Trivandrum on the West Coast of India.

33/555/MC.

FIRING SCHEDULE

Date	*Danger Time (IST)*	*Rocket Type*	*Pay-load*
18-2-1976 or 19-2-1976	1930—2230 hrs. (both days)	M-100B	Met

LAUNCHER CO-ORDINATES

Latitude—8° 32′ 34″ N
Longitude—76° 51′ 32″ E.

FIRING DIRECTION

	M-100B.
Azimuth (Effective)	235°
Elevation (Effective)	82°

Schedule—II

DANGER ZONES

1. A sector of radius 5 NM from launcher between azimuth angles 190 and 300 deg.
2. A sector of radii 15 NM and 50 NM from launcher between azimuth angles 220 and 260 deg.

All types of Aircraft, Shipping Boats etc. especially Fishing Boats of all description are warned to keep clear the Danger Zones mentioned above.

Office of the Inspector-General of Police,
Kerala State, Trivandrum-10.

V. N. RAJAN,
Inspector-General of Police.

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